

ATTORNEY'S DOCKET NUMBER: 26465U

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| U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE | | DATE: 17 DECEMBER 2004 (17.12.2004) |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPN. NUMBER: (if known): 10/518413 Not Yet Assigned |
| INTERNATIONAL APPLICATION NUMBER: PCT/EP03/06435 | INTERNATIONAL FILING DATE: 18 JUNE 2003 (18.06.2003) | PRIORITY DATE CLAIMED: 18 JUNE 2002 (18.06.2002) DE |
| TITLE OF INVENTION: METHOD FOR DIAGNOSING AND TREATING NIS-EXPRESSING CARCINOMAS AND METASTASES | | |
| APPLICANT(S) FOR DO/EO/US: Ulrich LOOS | | |
| Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> | | |
| ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED: | | |
| <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; TRANSMITTAL LETTER TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING FILING UNDER 35 U.S.C. 371; INTERNATIONAL PUBLICATION NUMBER: WO 03/107001 A1 WITH ENGLISH TRANSLATION; INTERNATIONAL PUBLICATION DATE: 24 DECEMBER 2003 (24.12.2003), WHICH CONSISTS OF 31 PAGES: 1 PAGE OF THE COVER SHEET WITH THE ENGLISH ABSTRACT, 20 PAGES OF TEXTUAL SPECIFICATION WITH LISTED REFERENCES, 7 PAGES OF 39 CLAIMS, 1 PAGE OF AN ABSTRACT, 2 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED; UNEXECUTED INVENTOR'S DECLARATION AND POWER OF ATTORNEY; POSTCARD FOR EARLY NOTIFICATION OF SERIAL NUMBER.</p> | | |

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| U.S. APPLICATION NUMBER: (If known) Not Yet Assigned 10/518413 | INTERNATIONAL APPLICATION NUMBER: PCT/EP03/06435 | DATE: 17 DECEMBER 2004 (17.12.2004) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|--|--------------------|--------|------------------|------------------|------|-------|--------|----|------------|-------------|-------|---|-------------|--|--|--|------------|--------------------------------------|--|--|--------------------|---|--|--|---------------|-------------------|--|--|--------------------|--|--|--|---------|-----------------------------|--|--|--------------------|--|--|--|--------|------------------------------|--|--|--------------------|--|--|--------------------------------------|----------|--|
| <p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>Basic National Fee (37 CFR 1.492(a)(1)-(5): (to include Basic National Stage Fee, National Stage Search Fee, and National Stage Examination Fee)</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$750.00</p> <p>No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$790.00</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,110.00</p> <p>International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) IPEA-U.S.....\$ 100.00</p> | | <u>CALCULATIONS</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$ 1,000.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).</p> | | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">CLAIMS</th> <th style="text-align: center;">NUMBER: FILED</th> <th style="text-align: center;">NUMBER: EXTRA</th> <th style="text-align: center;">RATE</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">TOTAL</td> <td style="text-align: center;">39-20=</td> <td style="text-align: center;">19</td> <td style="text-align: center;">X \$ 50.00</td> </tr> <tr> <td style="text-align: center;">INDEPENDENT</td> <td style="text-align: center;">7- 3=</td> <td style="text-align: center;">4</td> <td style="text-align: center;">X \$ 200.00</td> </tr> <tr> <td colspan="3" style="text-align: left;">Multiple dependent claims(s) (if applicable)</td> <td style="text-align: center;">+ \$360.00</td> </tr> <tr> <td colspan="3" style="text-align: left;">TOTAL OF ABOVE CALCULATIONS =</td> <td style="text-align: center;">\$ 2,750.00</td> </tr> <tr> <td colspan="3" style="text-align: left;">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td style="text-align: center;">\$ - 1,375.00</td> </tr> <tr> <td colspan="3" style="text-align: left;">SUBTOTAL =</td> <td style="text-align: center;">\$ 1,375.00</td> </tr> <tr> <td colspan="3" style="text-align: left;">Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td style="text-align: center;">\$ 0.00</td> </tr> <tr> <td colspan="3" style="text-align: left;">TOTAL NATIONAL FEE =</td> <td style="text-align: center;">\$ 1,375.00</td> </tr> <tr> <td colspan="3" style="text-align: left;">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td style="text-align: center;">\$.00</td> </tr> <tr> <td colspan="3" style="text-align: left;">TOTAL FEES ENCLOSED =</td> <td style="text-align: center;">\$ 1,375.00</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: center;">Amount to be: refunded charged</td> <td style="text-align: center;">\$ \$</td> </tr> </tbody> </table> | | | | CLAIMS | NUMBER: FILED | NUMBER: EXTRA | RATE | TOTAL | 39-20= | 19 | X \$ 50.00 | INDEPENDENT | 7- 3= | 4 | X \$ 200.00 | Multiple dependent claims(s) (if applicable) | | | + \$360.00 | TOTAL OF ABOVE CALCULATIONS = | | | \$ 2,750.00 | Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28). | | | \$ - 1,375.00 | SUBTOTAL = | | | \$ 1,375.00 | Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). | | | \$ 0.00 | TOTAL NATIONAL FEE = | | | \$ 1,375.00 | Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | \$.00 | TOTAL FEES ENCLOSED = | | | \$ 1,375.00 | | | Amount to be: refunded charged | \$ \$ | |
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| | | Amount to be: refunded charged | \$ \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| U.S. APPLICATION NUMBER: (If known) Not Yet Assigned 10/1518413 | INTERNATIONAL APPLICATION NUMBER: PCT/EP03/06435 | DATE 17 DECEMBER 2004 (17.12.2004) |
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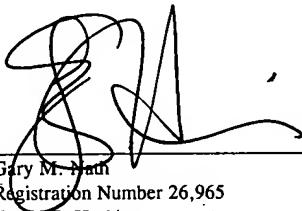
- a. One check in the amounts of \$ 1,375.00 to cover the above fee is enclosed.
- b. Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. Fees are to be charged to a credit card WARNING: Information on this form may become public Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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Washington, D.C. 20005-1503

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Rev. 02/98

10/518413

MAIL STOP PCT

Attorney Docket: 26465U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DT01 Rec'd PCT/PTC 17 DEC 2004

In re Application of:

LOOS

International Application Number: PCT/EP03/06435

Serial Number: NOT YET ASSIGNED

International Filing Date: 18 June 2003 (18.06.2003)

Filed: December 17, 2004

For: **METHOD FOR DIAGNOSING AND TREATING NIS-EXPRESSING CARCINOMAS AND METASTASES**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

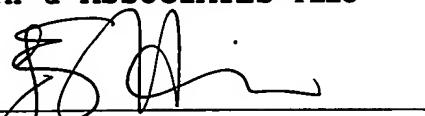
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371; International Publication No: WO 03/107001 A1 with English Translation, International Publication Date: 24 December 2003 (24.12.2003), which consists of 31 pages:
1 Page of the Cover Sheet with the English Abstract,
20 Pages of Textual Specification with listed references,
7 Pages of 39 Claims,
1 Page of an Abstract,
2 Sheets of Drawings;
- (3) **Preliminary Amendment with Attachment A to be Examined;**
- (4) Unexecuted Inventor's Declaration and Power of Attorney;
- (5) Check Number: 22263 \$ 1,375.00 for basic filing fee as a small entity, search fee, examination fee, extra claims fee, and extra independent claims fee;
- (6) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath
Registration Number 26,965
Tanya E. Harkins
Registration Number 52,993
Customer Number 20529

Date: December 17, 2004

NATH & ASSOCIATES PLLC

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